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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/813,648	03/31/2004	Richard Kybett	59643.00425

32294  
 SQUIRE, SANDERS & DEMPSEY L.L.P.  
 14TH FLOOR  
 8000 TOWERS CRESCENT  
 TYSONS CORNER, VA 22182



CONFIRMATION NO. 4933  
 FORMALITIES LETTER



\*OC000000012957606\*

Date Mailed: 06/16/2004

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

09/17/2004 YPOLITE1 00000012 10813648

01 FC:1001 770.00 0P  
 02 FC:1051 130.00 0P  
 03 FC:1201 86.00 0P

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

**Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$86** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$986** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

- Total additional claim fee(s) for this application is **\$86**

- **\$86** for 1 independent claims over 3.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

*Missing*  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



## PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Richard KYBETT et al.

Group Art Unit: 2631

Application No.: 10/813,648

Examiner: Unassigned

Confirmation No.: 4933

Filed: March 31, 2004

Attorney Dkt. No.: 59643.00425

For: FORMING MULTI-CARRIER SIGNALS

### RESPONSE TO NOTICE TO FILE MISSING PARTS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
**MAILSTOP MISSING PARTS**

September 16, 2004

Sir:

In response to the Notice to File Missing Parts of Application dated June 16, 2004 (copy attached), the following are enclosed:

- \$130.00 as payment of the surcharge for the Notice to File Missing Parts;
- \$856.00 as payment for the filing fee, see chart below;

FOR:			SMALL ENTITY		LARGE ENTITY	
NO. FILED	NO. EXTRA	RATE	FEES	OR	RATE	FEES
BASIC FEE			\$ 385	OR		\$ 770
TOTAL CLAIMS	16 - 20	=	x 9 =	OR	x 18	\$
INDEP CLAIMS	4 - 3	= 1	x 43 =	OR	x 86	\$ 86
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS			+145 =	OR	+290	\$
			TOTAL	OR	TOTAL	\$856

- \$110 as payment for a 1 month extension of time;
- Copy of Originally-executed Declaration/Power of Attorney;
- Applicant qualifies for Small Entity Status;
- Verified Translation of the Application     Other. -

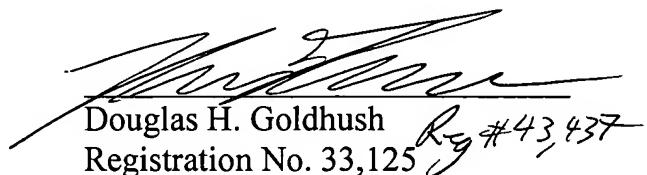
Applicants(s) are also enclosing the following:

- A Information Disclosure Statement with Form PTO-1449, \_\_\_\_\_ refs.
- A certified copy of British Priority Application No. 0308701.2 filed April 15, 2003;
- A copy of originally executed Assignment with Form PTO-1595; and
- \$40.00 as payment for the recordation of the Assignment.

The Examiner is respectfully requested to acknowledge that all of the requirements of 35 U.S.C. §111 have been met.

Please charge any fee deficiency or credit any overpayment to Counsel's Deposit Account No. 50-2222.

Respectfully submitted,



Douglas H. Goldhush Reg #43,437  
Registration No. 33,125

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DHG:lhr

Enclosures: Check No. 011936